

REMARKS

In the non-final Office Action dated (mailed) March 27, 2006, the Examiner rejected Claims 51 and 54 under 35 USC 112. Claims 50, 51, 53, 54, 57-61 and 63 were rejected under 35 USC 102 as being anticipated by Chun. Claims 52 and 64 were rejected under 35 USC 103 as being unpatentable over Chun in view of Dubuc. Claim 65 was withdrawn from consideration.

As indicated above, Claims 50, 51, 54, 58 and 60 have been amended. Withdrawn Claim 65 has been cancelled and Claims 66 to 68 added by this Amendment. For the reasons to follow and for those reasons recited in applicant's last Response dated March 10, 2006 which reasons are incorporated by reference, it is submitted that all of the pending and newly added claims as they now stand are in accord with 35 USC 112 and are allowable over Chun alone or in combination with Dubuc.

Referring first to the Examiner's rejection under 35 USC 112, the heart of her rejection was her objection to the term normal as it was being used in Claims 51 and 54. Note that Claims 51 and 54 have been amended to eliminate that term and replace it with the term perpendicular. As is well known and as recited in the Merriam-Webster 11th collegiate dictionary, these terms are synonymous.

Claim 51 depends from Claim 50 which calls for a housing having a reflector arrangement defining a central axis of illumination and which also calls for an illumination assembly including a printed circuit board and a solid state light source. In Claim 50 is recited including front and back surfaces and, as amended here, a side edge extending between the front and back surfaces. Claims 51 now states that the front surface of the PCB is a planar surface oriented perpendicular to and facing in the direction of the central axis of illumination. This claim also states that the LED recited there has a mounting end mounted to said front planar surface and an opposite free end facing forward such that said mounting and free ends define an axis perpendicular to the planar front surface and parallel with said central axis. Clear basis for these perpendicular positional relationships can be found in, for example, Figure 5 which illustrates a PCB 508 having front and back planar surfaces and a side edge extending there between and an array of LEDs 502. Each of the LEDs is shown having its base or mounting end mounted to the front surface of the PCB while its opposite free end and the base end define an axis perpendicular to the front surface. See also Figures 6 and 7. Thus, it is submitted that Claim 51 is in conformance with 35 USC 112.

Claim 54 also depends from Claim 50 and is similar to Claim 51 except that the front planar surface of the PCB extends parallel with the central axis of illumination while the LED extends perpendicular to the front planar surface (as in Claim 51) and thus perpendicular to the central axis of illumination. This is clearly supported by Figure 9. Thus, it is submitted that Claim 54 is in conformance with 35 USC 112.

Attention is now directed to the Examiner's rejection of the claims noted above under 35 USC 102 as being anticipated by Chun. As indicated above, Claim 50 was amended first to add a side edge to the PCB so as to distinguish the front and back surfaces of the PCB upon which the control circuitry may be printed and the side edge upon which the circuitry would obviously not be printed. Second, this claim was amended to emphasize that the solid state light source

recited there is mounted onto the front surface of the PCB such that its underside base is adjacent to and confronting the front surface of the PCB. This is best illustrated in Figures 5,6,7 and 9. This requirement that the solid state light source (the LED in some of the claims) be mounted onto the front surface of the PCB such that its underside base is adjacent to and confronting the front surface has been provided in all of the claims. Plus, of course, Claims 51 and 54 have the added requirement of the positional relationship discussed above.

All of this is to be contrasted with Chun which discloses an LED flashlight and which discloses the use of an elongated printed circuit board along with an LED. However, note, for example, Column 2, starting at line 48, where Chun states the following:

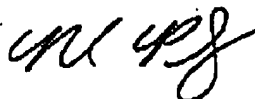
Shown in FIGS. 4-7, an elongated printed circuit board 45 is longitudinally aligned inside the main body 12. Longitudinally aligned and extending from the proximal end of the circuit board 45 is an integrally formed neck 46 which contains terminal 94, 95 to which the terminals 68, 69 on the flashlight's main LED 65 connect. ...

Clearly, Chun does not mount his LED on any surface of his PCB, much less on the front surface such that the underside base of the LED is adjacent to and on confronting relationship with the front surface of the PCB. In fact, it should be clear from the quote immediately above and from an overall reading of the Chun Patent that Chun's LED is not even mounted to the neck of his PCB but merely connected to it by means of terminal wires 68, 69. Moreover, as clearly seen in Figures 6 and 7, at best it can be said that the LED 65 is spaced from (not even adjacent to) an edge of the PCB (as contrasted with one of its planar surface) and, even more clearly, the LED is in confronting relationship with the edge of the PCB, not its planar surface.

For these reasons, it is submitted that Chun does not anticipate Independent Claim 50 or the other independent claims, namely Claims 58, 60 and 67 or their dependent claims. For the same reasons, it is submitted that Claims 52 and 64 are allowable over Chun in view of Duluc.

With particular regard to newly submitted dependent Claim 66, it should be noted that this claim covers essentially what was claimed in withdrawn and cancelled Claim 65 but in dependent form depending from Claim 60 and, hence is allowable along with Claim 60. Moreover, it should be noted that Claim 65 was allowed once.

Respectfully submitted,



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